IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

ERIC C. SANDERS, and CARRIE L. SANDERS,))
Plaintiffs,)
VS.) CIVIL ACTION NO. SA-06-CA-0514-FB
UNUM LIFE INSURANCE COMPANY OF AMERICA, COLONIAL LIFE AND ACCIDENT INSURANCE COMPANY, And VANGUARD HEALTH MANAGEMENT, INC.,)))))
Defendants.	<u>'</u>

PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO DEFENDANT, UNUM'S CROSS MOTION FOR SUMMARY JUDGMENT

TO THE HONORABLE FRED BIERY, UNITED STATES DISTRICT JUDGE:

Now come the plaintiffs and file this Unopposed Motion for Extension of Time to File Response to Defendant Unum's Cross Motion for Summary Judgment, and would respectfully show the Court:

I.

Plaintiffs, Eric C. Sanders and Carrie L. Sanders, need additional time to respond to Unum's Cross-Motion for Summary Judgment. Plaintiff's filed their Motion for Summary Judgment on March 12, 2007. Defendant, Unum filed its Response and Cross-Motion on March 15, 2007, raising several new defenses. Plaintiffs' response is due March 26, 2007 by the local rules. Plaintiffs request a 21 day extension, to April 15, 2007.

Plaintiffs need additional time to respond to Unum's numerous assertions by additional research of thousands of pages of administrative record (Unum produced different files to Plaintiffs before and after this litigation was filed). Moreover, the parties have agreed to mediate this dispute on April 5, 2007. Plaintiffs request the Court to grant them until April 15, 2007, 10 days after mediation, to file their response. (These cross-motions for summary judgment should resolve this litigation if mediation does not).

III. CERTIFICATE OF CONFERENCE

Plaintiffs' counsel, Darby Riley conferred with Amanda Sotak, counsel for Unum, who advised that they did not object to this extension.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs, Eric C. Sanders and Carrie L. Sanders, pray that the Court grant this Motion and extend their response time to April 1, 2007; and for such other and further relief to which Plaintiffs may be justly entitled.

Respectfully submitted,

DARBY RILEY

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

DARBY RILEY

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Plaintiffs,)
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UNUM LIFE INSURANCE COMPANY OF AMERICA, COLONIAL LIFE AND ACCIDENT INSURANCE COMPANY, And VANGUARD HEALTH MANAGEMENT, INC.,))))
Defendants.)

ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANT, UNUM'S CROSS-MOTION FOR SUMMARY JUDGMENT

Came on to be heard Plaintiffs' Unopposed Motion for Extension of Time to Respond to Defendant Unum's Cross-Motion for Summary Judgment. After considering

the Motion and arguments of counsel, the Court is of the opinion that it should be granted.

IT IS THEREFORE ORDERED, that Plaintiffs, Eric C. Sanders and Carrie L. Sanders are granted an extension until April 15, 2007 to file their response to Defendant Unum's Cross-Motion for Summary Judgment.

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This order was prepared and is being submitted by: Darby Riley
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